

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:17-cr-00346-RJC-DSC

USA)
)
)
vs.) ORDER
)
)
CHARLES AUGUSTINE)
ORISAKWE)

THIS MATTER is before the Court upon motion of the defendant to amend the restitution order, (Doc. No. 49), which the government opposes, (Doc. No. 51).

At sentencing, the Court assessed the defendant's ability to pay and ordered payment of monetary penalties to begin immediately and continue in monthly installments of \$50 while on supervised release. (Doc. No. 36: Judgment at 7). The defendant asserts that he does not have legal authorization to work, but has applied for a T visa which would allow for employment. (Doc. No. 49: Motion at 1).

Payments by a program that assists human trafficking victims expire this month. (Doc. No. 52: Supplement at 1). The government opposes the requested relief based on the modest monthly amount owed, (Doc. No. 51: Response at 1-2), but has not shown the defendant has resources to make payments as ordered. Accordingly, the Court finds good cause to adjust the defendant's payment schedule in the Judgment.

IT IS, THEREFORE, ORDERED that, pursuant to 18 U.S.C. § 3664(k), the defendant's payment schedule is temporarily adjusted to suspend monthly

payments pending resolution of his visa application. Payments shall resume if he is granted a status that enables him to work or otherwise becomes able to make payments accordingly to the schedule. All other conditions remain unchanged, including the obligation to notify the Court of any changes in economic circumstances that might affect the ability to pay his financial obligation. (Doc. No. 36: Judgment at 3-4).

The Clerk is directed to certify copies of this order to the defendant, the United States Attorney, the United States Probation Office, and the Financial Administration Unit of the Clerk's Office.

Signed: June 29, 2022



Robert J. Conrad, Jr.
United States District Judge